



# UNITED STATES PATENT AND TRADEMARK OFFICE

*Folan*  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,740	02/19/2004	Tadashi Sasaki	87900-000518/US	1788
30593	7590	06/06/2005		EXAMINER
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195				PERKEY, WILLIAM B
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/780,740	SASAKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	William B. Perkey	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 May 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1 and 2 is/are allowed.
- 6) Claim(s) 3 and 10-13 is/are rejected.
- 7) Claim(s) 4-9 and 14-18 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 3, 10, 12, 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Shore et al. (Patent Application Publication US 2003/0011692 A1).

The microprocessor receiving the distance from the range finder 301 in the embodiment shown in Figs. 19-24 inherently requires a storage device in order to utilize the digitized distance data through its processing steps. The digitized distance value represents a desired position of the focus lens. Shore et al. discloses the focus present acquiring device as a potentiometer or pulse encoder or Hall element whose outputs are converted to a digital format to be input to the microprocessor. The display device is shown in Figs. 20-23 showing how the focused stored position (distance value from the rangefinder) and the present lens position are close to each other.

### *Response to Arguments*

Applicant argues that a storage device is not inherently required that the microprocessor 304 in Fig. 19 of Shore et al. for the entered distance value from the rangefinder. Contrary to applicant's assertion, every microprocessor requires a storage device to hold the digital data contained within it in order to perform its various operations on the data. If applicant's can make

of record the details of an existing digital microprocessor that does not use a storage device to manipulate its digital data, then the examiner will withdraw this rejection. The examiner is unaware of the existence of any digital microprocessor that can manage it's digital data without storage devices.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shore et al.

(Patent Application Publication US 2003/0011692 A1) in view of Bauer (U.S. Patent No. 6,148,151).

Shore et al. discloses the claimed invention, as explained above, except for driving a focus of a photographing lens by an auto focus device. Bauer discloses a device for automatically adjusting the position of a lens. It would have been obvious to one of ordinary skill in the art, at the time of applicant's invention, to provide lens in Fig. 19 of Shore et al. with automatic driving means for each of the drive rings (including the focus ring) in order to obtain the desirable feature of remote adjustment.

***Claim Objections***

5. Claim 15 is objected to because there is no prior reference in the claims to a threshold before the claim language "said threshold" in lines 1 and 2. It appears that claim 15 should be amended to depend from claim 14.

*Allowable Subject Matter*

6. Claims 1 and 2 are allowed.
7. Claims 4-9, 14, 16, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Reasons for Indication of Patentability*

8. The primary reason for indication of patentability of claims 1 and 2 is the claim 1 limitation for referencing the recorded auto focus position on a display device when the manual focus drive executes focusing. The primary reason for indicating patentability of claims 4-9, 14 and 18 is the claim limitation found in claims 4, 14 and 18 for changing the display state when the difference between the present focus state and the stored desired focus position is smaller than a predetermined threshold. The primary reason for indication of patentability of claims 16 and 17 is the switching of the displayed state from lighting to blinking or from blinking to lighting.

*Conclusion*

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Telephone Numbers**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (571) 272-2126. The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
William B. Perkey  
Primary Examiner  
Art Unit 2851

WBP:wbp